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General Assembly

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Fifty-eighth session
Agenda item 110
Advancement of women

Letter dated 26 September 2003 from the Minister of Foreign Affairs of El Salvador addressed to the Secretary-General

I have the honour, on behalf of the women Ministers for Foreign Affairs of various States Members of the United Nations, to draw your attention to the annexed letter concerning the importance of the item "Women and migration", which we discussed at our annual meeting during the fifty-eighth session of the United Nations General Assembly (see annex).

I should be grateful if you would arrange for this letter to be circulated as a United Nations document during the fifty-eighth session of the General Assembly.

(*Signed*) María Eugenia **Brizuela de Ávila**
Minister for Foreign Affairs

03-57317 (E) 241003 271003

Annex to the letter dated 26 September 2003 from the Minister of Foreign Affairs of El Salvador addressed to the Secretary-General

Letter dated 26 September 2003 from the Foreign Ministers of Austria, Barbados, Chile, Colombia, Cape Verde, El Salvador, Estonia, Japan, Latvia, Luxembourg, Malawi, the Niger, Paraguay, South Africa, Spain, Suriname, Switzerland and The former Yugoslav Republic of Macedonia

[Original: English and Spanish]

We have the honour of addressing Your Excellency, as Women Ministers of Foreign Affairs from different Member States of the United Nations. We are committed to promote the well-being and the rights of women at both the national and international level. To this end, we have met during the 58th session of the United Nations General Assembly to discuss the issue of "Women and Migration" which we consider to be topical and of special interest.

As Your Excellency is aware, migration is a complex phenomenon affecting countries of origin, transit and destination. It calls for concerted international policies that would address the political, economic, legal, social, cultural, human rights and humanitarian as well as gender aspects. The importance of managing orderly migration and combating irregular migration resulting in the exploitation and abuse of women has to be emphasized by raising public awareness at the international level.

During the past decades, the number of migrant women has increased steadily, enabling those women in some cases to gain personal experience and economic independence and allowing them to contribute to the subsistence of their families in their country of origin.

However, migrant women are often confronted with serious threats to their physical and moral integrity or even their lives, especially in circumstances of irregular migration. Irregular migration may expose women to falling pray to traffickers, entailing sexual exploitation, social slavery such as subjugation, discrimination and isolation in countries of origin, transit and destiny.

In addition, we attribute utmost importance to effectively and efficiently combating trafficking in women and children and to address it as a major manifestation of gender inequality in the current era of globalization. We are seriously concerned about the increasing number of women and children trafficked like commodities for sexual, domestic and labour exploitation as underlined in your note to the twelfth session of the Commission on Crime Prevention and Criminal Justice and in accordance with your report, Mr. Secretary-General, on the implementation of the Millennium Declaration.

We consider it essential for the United Nations, to continue to promote a gender-sensitive debate on migration and trafficking and to take the necessary actions to address specific aspects of women migration in general and trafficking in women in particular. Such actions should aim at reducing vulnerability to migratory risks, and at the same time at facilitating social integration of migrant women into the country of destination. In order to strengthen efforts to combat trafficking and protect migrant women, we should all strive to intensify cooperation within the

United Nations system, with relevant regional organizations and with other relevant actors in the field.

In consequence, we would like to invite all Member States to continue to address the issue of women and migration, including a gender perspective in this debate, as well as to take all necessary actions to ensure we remain seized with this matter during the fifty-eighth session of the General Assembly.

H.E. Mrs. Benita Ferrero Waldner
Minister of Foreign Affairs of Austria

H.E. Mrs. Billie Miller
Minister of Foreign Affairs of Barbados

H.E. Mrs. Soledad Alvear Valenzuela
Minister of Foreign Affairs of Chile

H.E. Mrs. Carolina Barco Isakson
Minister of Foreign Affairs of Colombia

H.E. Mrs. María de Fátima Lima Veiga
Minister of Foreign Affairs of Cape Verde

H.E. Ms. Kristiina Ojuland
Minister of Foreign Affairs of Estonia

H.E. Mrs. María Eugenia Brizuela de Ávila
Minister of Foreign Affairs of El Salvador

H.E. Ms. Yoriko Kawaguchi
Minister of Foreign Affairs of Japan

H.E. Ms. Sandra Kalniete
Minister of Foreign Affairs of Latvia

H.E. Mrs. Lydie Polfer
Minister of Foreign Affairs of Luxembourg

H.E. Mrs. Lilian Patel
Minister of Foreign Affairs of Malawi

H.E. Mrs. Aïchatou Mindaoudou
Minister of Foreign Affairs of Niger

H.E. Mrs. Leila Rachid de Cowles
Minister of Foreign Affairs of Paraguay

H.E. Dr. Nkosazana C. Diamini Zuma
Minister of Foreign Affairs of South Africa

H.E. Mrs. Ana Palacio
Minister of Foreign Affairs of Spain

H.E. Mrs. Maria Levens
Minister of Foreign Affairs of Suriname

H.E. Mrs. Micheline Calmy-Rey
Minister of Foreign Affairs of Switzerland

H.E. Mrs. Ilinka Mitreva
Minister of Foreign Affairs of The former Yugoslav Republic of Macedonia

United Nations A/C.3/58/6

General Assembly

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Fifty-eighth session
Third Committee
Agenda item 117 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Letter dated 21 October 2003 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a memorandum concerning the situation of human rights in Myanmar (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 117 (c).

(*Signed*) Kyaw Tint **Swe**
Permanent Representative

03-57603 (E) 301003

Annex to the letter dated 21 October 2003 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

Memorandum on the situation of human rights in Myanmar

I. Introduction

1. At its fifty-seventh session, the General Assembly adopted resolution 57/231 of 18 December 2002, entitled "Situation of human rights in Myanmar". As in previous resolutions, this resolution continued to cite the litany of unsubstantiated allegations as actual facts and deriving erroneous conclusions therefrom. The resolution did not reflect nor give due recognition to the true situation of human rights in Myanmar. It therefore was biased, intrusive, selective and subjective. Myanmar had no alternative but to reject the unfounded allegations, and dissociated itself from a resolution that had nothing to do with the promotion and protection of human rights. In this, Myanmar was joined by a number of other delegations.

2. Pursuant to resolution 57/231 the current session will continue the consideration of the issue. This memorandum provides relevant information that may help to rectify misperceptions and misunderstandings that persist. It reveals the fact that dissidents and armed separatists and terrorist groups used false information emanating from disinformation campaigns as instruments of propaganda. And these are being indiscriminately cited as facts by some.

3. The memorandum especially draws to attention significant developments that have occurred after the issuance of the reports of the Special Rapporteur for Human Rights and the Special Envoy of the Secretary General respectively. The significant political developments include the appointment of a new Prime Minister and Cabinet on 25 August 2003, the Road Map for transition to democracy outlined by the new Prime Minister on 30 August 2003 and the positive responses from members of the international community

II. Political situation

4. The Myanmar Armed Forces (the Tatmadaw) had to assume State power on 18 September 1988 as a result of anarchy and lawlessness that brought the Union to the brink of disintegration. The Tatmadaw government abolished the single party socialist system and centralized economic system. It introduced reforms for a multi-party democratic system and a free market economy.

5. The government laid down political, social and economic objectives to address the fundamental issues that beset Myanmar. It initiated a process of national reconciliation. In 1992 with the improvement of peace and stability and the attainment of national unity, the government convened a national convention that was to formulate the basic principles to be incorporated in the drafting of a constitution that would give birth to a democratic state.

6. In 1995 the National League for Democracy unilaterally ceased participation in the National Convention which was the major reason for its adjournment in 1996.

7. With the desire to have all the major players in the country working together with the government for the benefit of the people, the government invited and held discussions and meetings with the leaders of various national races and political parties including Daw Aung San Suu Kyi and the NLD. This process was facilitated by Ambassador Razali Ismail, the Special Envoy of the Secretary-General of the United Nations. The Head of State himself met Daw Aung San Suu Kyi separately on several occasions. All restrictions on her were lifted on 6 May 2002.

8. She was encouraged by the government to travel freely in the country and to see first hand many of the government's infrastructural development projects and to obtain a better insight into the developmental needs of the country. During these visits she was extended all courtesies and hospitalities. Between June 2002 and April 2003 Daw Aung San Suu Kyi visited 95 townships in various states and divisions in the country. However, during her later visits Daw Aung San Suu Kyi, being mislead by certain political elements, unfortunately reneged on the agreed ground rules including declining security arrangements by the government and failed to abide by the terms of agreement with the authorities concerned.

9. Despite the advice by the authorities not to travel to areas where there was no police nor security, on the night of 30 May 2003 Daw Aung San Suu Kyi and her followers nevertheless went to Dabayin in Sagaing Division where an unfortunate confrontation between her followers and local people turned violent. The government was compelled to adopt certain measures to maintain law and order and to protect Daw Aung San Suu Kyi and her senior colleagues from harm. A criminal inquest was instituted regarding this incident.

10. Ambassador Razali Ismail, Special Envoy of the United Nations Secretary General met with Daw Aung San Suu Kyi in the course of his tenth visit to Myanmar in June 2003. Contrary to the allegations based on so-called eyewitness accounts he confirmed that she was safe and unhurt. Subsequently the ICRC also visited her and her senior colleagues and confirmed that she was well treated in a safe house.

11. Special Envoy Ambassador Razali visited Myanmar again from 30 September to 2 October 2003. He visited Daw Aung San Suu Kyi and confirmed that she was well, and in good spirits, recovering from recent major surgery she had undergone for gynecological problems at a private hospital. Daw Aung San Suu Kyi is currently recuperating at her lakeside villa under mutually accepted and agreed security arrangements.

12. On 25 August 2003, a new cabinet with General Khin Nyunt as Prime Minister was appointed. On 30 August 2003, the new Prime Minister in his first official address outlined a Road Map for the transition to democracy. The seven steps Road Map is as follows:

- Reconvening of the National Convention that has been adjourned since 1996;
- After the successful holding of the National Convention, step by step implementation of the process necessary for the emergence of a genuine and disciplined democratic system;
- Drafting of a new Constitution in accordance with basic principles and detailed basic principles laid down by the National Convention;
- Adoption of the Constitution through national referendum;

- Holding of free and fair elections for Pyithu Hluttaws (Legislative Bodies) according to the new Constitution;
- Convening of Hluttaws attended by Hluttaw Members in accordance with the new Constitution; and
- Building a modern developed and democratic nation by the state leaders elected by the Hluttaw; and the government and other central organs formed by the Hluttaw.

13. The Road Map is a concrete programme that will lead to the adoption of a constitution through a referendum, free and fair elections, convening of Hluttaws which in turn will form the government and other central bodies.

14. The Ninth ASEAN Summit held in October 2003 on the island of Bali in Indonesia, welcomed the developments in Myanmar. The Chairperson's statement on Myanmar reads as follows:

> "The Leaders welcomed the recent positive developments in Myanmar and the government's pledge to bring about a transition to democracy through dialogue and reconciliation. The road map as outlined by the Prime Minister of Myanmar that would involve all strata of Myanmar society is a pragmatic approach and deserves understanding and support. The Leaders also agree that sanctions are not helpful in promoting peace and stability essential for democracy to take root."

15. In a letter dated 1 September 2003, the Myanmar Minister for Foreign Affairs apprised the Secretary-General of the 30 August speech of the new Prime Minister. The new Prime Minister himself in a letter dated 17 September informed the Secretary-General of the important political steps taken by in Myanmar. The Secretary General responded that he was encouraged that the government of Myanmar had adopted its own road map for transition to democracy and that the United Nations was committed to help facilitate such efforts.

16. When the Foreign Minister called on the Secretary-General on 30 September at his Office in the United Nations, New York, he again explained in detail the changes that were taking place in Myanmar. In fact Myanmar has taken substantial steps on the road to democracy. It is important that the international community recognize the positive developments and encourage the process.

III. Cooperation with the United Nations

A. Cooperation with the Special Rapporteur

17. Myanmar practices a consistent policy of cooperation with the United Nations, as it firmly believes in its principles, purposes and ideals, including the principles of sovereign equality of States and non- intervention in the internal affairs of a State.

18. Myanmar has consistently cooperated with the United Nations in the field of human rights, providing necessary information sought by the UN Bodies such as the Commission on Human Rights, thematic working groups and thematic rapporteurs.

19. The government of Myanmar has accepted visits of Independent Expert Madam Sadako Ogata, Special Rapporteur Dr. Yozo Yokota and more recently

Special Rapporteur Professor Paulo Sergio Pinheiro to enable them to gain a true picture of the situation of human rights in the country.

20. Professor Pinheiro visited Myanmar from 19 to 24 March 2003. His interim report under document A/58/219 of 5 August 2003 covers the period up to 28 July 2003.Unfortunately his reporting on the 30 May incident contains some elements that are factually incorrect as he seems to have relied on sources of information with low or no credibility.

B. Invitation extended to the United Nations High Commissioner for Human Rights

21. When the late Mr. Sergio Vieira de Mello was appointed as the United Nations High Commissioner for Human Rights, the government of Myanmar warmly welcomed his appointment. The Minister for Foreign Affairs invited him to visit Myanmar at a mutually convenient time to witness the promotion and protection of human rights in the country. The High Commissioner accepted the invitation with pleasure, but most regrettably while serving as the United Nations Special Representative in Iraq he was killed in a terrorist bomb attack on UN Headquarters in Baghdad. Myanmar will continue to cooperate with the Acting High Commissioner for Human Rights, and the Human Rights Commission.

C. Cooperation with the Secretary-General and his Special Envoy

22. The government of Myanmar has continued its dialogue and cooperation with the United Nations Secretary-General Kofi Annan and his Special Envoys. It has received the visits of the Special Envoys of the Secretary-General since Mr. Alvaro de Soto. His current Special Envoy, Mr. Razali Ismail has visited Myanmar eleven times so far. The Special Envoy was received by leaders of the government. The Head of State also received him on several occasions.

23. During his visits he was free to meet with leaders of political parties including Daw Aung San Suu Kyi, leaders of ethnic national groups, diplomats, UN agencies representatives and people from civil society.

24. The Special Envoy visited Myanmar for the eleventh time from 30 September to 2 October 2003. The Chairman of the State Peace and Development Council, Senior General Than Shwe, Prime Minister General Khin Nyunt and other government leaders received him.

25. The Special Envoy also met with leaders of various ethnic groups and leaders of political parties including Daw Aung San Suu Kyi. He reported that she was well and resting at her lakeside home after major surgery at a private clinic.

26. The report of the Secretary-General contained in document A/58/225 of 28 August 2003 covers a reporting period from November 2002 to June 2003. It therefore does not include significant positive developments that have occurred since its issuance, such as the appointment of the new Prime Minister, the Road Map for transition to democracy, the positive responses to the Road Map by member countries of the ASEAN and other countries and enthusiastic responses of the people of Myanmar.

27. Moreover, the report does not cover the criminal inquest of the 30 May incident nor that of Daw Aung San Suu Kyi being able to return to her home where she is recuperating under mutually accepted and agreed security agreements.

28. Furthermore, the report states that the role of the Special Rapporteur is one of good offices, not fact finding. While there was no actual fact finding, the report purports to reflect the results of fact finding. One is tempted to ask why the report is ready to state that it was not convinced of the government's explanation of the 30 May incident while readily giving credence to dubious "eyewitness" accounts that the incident was premeditated. Especially when such "eyewitness" accounts are proven wrong by representatives of reputable international organizations. The answer is that the disinformation of dissidents, armed separatists and terrorist groups, with a political agenda, has been accepted without first substantiating the truth.

29. In the aftermath of the 30 May incident "eyewitness" accounts that Daw Aung San Suu Kyi was seriously injured during the incident was picked up and magnified. The Special Envoy met Daw Aung San Suu Kyi and confirmed that she was not only unhurt but she did not sustain even a scratch.

30. On 31 August a report citing "credible" sources claimed that Daw Aung San Suu Kyi was on a hunger strike. The ICRC also subsequently disproved this claim. It is unfortunate that false information and disinformation has been accepted uncritically resulting in faulty analysis and wrong actions.

D. Cooperation with the International Labour Organization

31. Myanmar has been cooperating with the ILO in resolving the issue of forced labour. In the past, some provisions of the Village Act and Towns Act of 1907 were alleged to be in conflict with Convention 29 of the ILO (Forced Labour Convention). To address the issue, Myanmar took the necessary legislative, executive and administrative measures and issued two legislative orders: Order 1/99 and Order Supplementing Order 1/99, thereby bringing the domestic legislation in line with Convention 29. These Orders were accepted by the ILC as having provided the necessary statutory basis.

32. At the invitation of the government, an ILO Technical Cooperation Mission visited Myanmar four times during 2001-2002. A High Level Team of the ILO led by a former Governor General of Australia, Sir Ninian Stephen also paid a successful three-week visit to Myanmar in September and October 2001.

33. On 19 March 2002, an agreement between Myanmar and the ILO on the appointment of a Liaison Officer in Myanmar was signed in Geneva. Mr. Leon de Reidmatten was appointed as interim Liaison Officer. On 6 October 2002, Ms. Hong-Trang Perret- Nguyen was appointed as ILO Liaison Officer in Myanmar.

34. On 22 July 2002, the Director General of the ILO, Mr. Juan Somavia wrote to the Myanmar Minister of Labour, proposing the development of a joint plan of action for the elimination of forced labour. Developed in cooperation with the liaison officer, a joint of plan of action with a pilot project in the Myeik district was agreed upon with the ILO. It was initialed in Yangon in the second week of May 2003.

35. However some quarters of the ILO brought up an extraneous domestic political issue and delayed the implementation of the plan. The Myanmar side on its part remains determined to realize the joint plan of action in whatever way it can.

IV. Initiative on human rights

36. A 20-member Human Rights Committee with the Minister for Home Affairs as Chairman was formed in April 2000. The Committee has since held a series of human rights workshops in various parts of the country with the cooperation and assistance of the Australian Government, disseminating information on human rights standards for public officials nation wide. The dissemination process is being widened to benefit a greater range of citizens. A senior member of the Human Rights Committee is scheduled to travel to Geneva to participate in UN Human Rights activities.

37. Myanmar is a party to CEDAW and the Convention on the Rights of the Child.

38. Myanmar presented her initial report to the CEDAW Committee at its 22nd Meeting. The Committee's concluding comments touched upon positive aspects and identified some difficulties encountered in the implementation of the Convention. Myanmar has taken note of the Committee's comments and it is taking steps to implement the recommendations of the Committee.

39. The first international seminar on the Rights of the Child was held in Yangon in November 2001 in cooperation with the Centre for Humanitarian Dialogue and the International Institute for the Rights of the Child in Switzerland and the Government submitted its Second Report on the Implementation of the Convention in June 2002.

40. In August 2002, the Human Rights Committee held a seminar on the International Covenant on Economic, Social and Cultural Rights, for the benefit of Government officials.

41. The initiative on human rights also includes awareness raising activities such as the Mine Awareness Workshop held in February 2002 with support from the Australian Government and the Mine Advisory Group based in the UK. In March 2002 general human rights workshops were held for law enforcement and military personnel.

42. A delegation from Amnesty International visited Myanmar in 2003 and it had the opportunity to meet senior government leaders and members of civil society. Amnesty International is planning to visit Myanmar for the second time.

V. Efforts at health promotion

43. The Government is committed to strengthening the country's health system in order to meet the needs of the people. It is making every attempt with its available resources to ensure equitable access to primary health services, even in the remote areas. The health sector is the fourth largest recipient of funding from the government budget.

44. The Government is firmly committed to fighting the spread of HIV/AIDS and is addressing the issue as a matter of priority. HIV/AIDS is designated as a disease of national concern. A high-level multisectoral National AIDS Committee, chaired by the Minister for Health, was formed in 1989 to oversee the national AIDS programme in Myanmar. The National Health Committee, the highest policy-making

body, Chaired by the Prime Minister provides policy guidance and necessary assistance to enhance HIV/AIDS prevention and control activities in the country.

45. Myanmar has adopted a comprehensive HIV/AIDS prevention and control programme. In early 2001, the national AIDS programme and the Joint United Nations Programme on HIV/AIDS drafted a joint plan of action for the prevention and control of HIV/AIDS in the country. It is a comprehensive plan, covering all aspects: education, prevention, cure and rehabilitation.

46. The expanded theme group on AIDS composing government representatives, UN agency heads, diplomats from donor countries and representatives from national and international NGOs has endorsed a joint programme on HIV/AIDS in Myanmar for 2003-2005. The sum of US $ 51 million was identified as necessary for the whole national response during the period. The external input for the National AIDS Programme for 2003 so far totals the equivalent of US$4.2 million.

47. A joint workshop of the Ministry of Health and UNAIDS held in March 2002 estimated a national adult prevalence of approximately 0.6 per cent. The workshop concluded that HIV infection in Myanmar is not generalized but concentrated on high-risk groups including women sex workers and injecting drug addicts.

48. Myanmar is currently serving on the UNAIDS Coordination Programme Board thereby enabling it to address the issue both on the national and international level.

VI. National efforts for the promotion of the education sector

49. The Government has consistently given priority to the education sector since its assumption of State power. As a matter of priority, the Government concentrated on the building of educational infrastructure to create equal opportunity for children to fulfil the rights of the child. The expenditure for the educational sector is the third largest in the national budget.

50. The following is a comparison chart of progress in the education sector:

	1988	*2003*
Basic education schools	33,747	40,049
Post primary schools	-	3,800
Teachers	173,000	222,000
Students	5,240,000	7,551,000
Literacy rate	78%	92.2%
Higher education		
Universities and colleges	32	154
Students	130,000	890,000
University teachers	5,600	16,600
Masters Degree	266	9,474
Doctorate	-	206*

* prior to 1988 the universities and colleges in Myanmar could not confer doctoral degrees.

VII. Economic situation

51. The efforts of the Government in the economic sector are primarily aimed at ensuring equitable development for the people of Myanmar. It aims at narrowing the development gap between the rural and urban areas. Over 70 per cent of the population of 52 millions live in the rural areas.

52. In 1988 the centrally planned socialist economic model that had brought economic ruin to Myanmar was discarded. A market oriented economic model of private enterprise and initiative was introduced instead. The Government's efforts are directed at creating an infrastructure and environment under which the economy can develop.

53. The Government inherited a deteriorating economy in 1988, with very low monetary reserves. The political turmoil in that year left in its wake a completely devastated country in material terms. The civil administration structure was in complete disarray. Compounding the problems, developed countries and multilateral financial institutions have denied the country access to official development assistance, loans and grants since 1989. Unilateral sanctions were applied and investments were denied. Travel to the country was discouraged so as to deter tourism, a promising source of income for the people. This situation left very little room to revitalize the country's economy. In spite of these restraints, the economy continue to grow considerably.

54. The sustained economic growth over the recent years contributed to a better quality of life for the majority of the population. While criticism of the Government for various social ills of the country continues, it has been able to make perceptible progress in its efforts for the all-round development of the country.

55. When the Tatmadaw government took responsibilities in 1988, the economy was in recession. Looters destroyed almost all development infrastructures. Factories and workshops were in ruins. The entire communication and transportation network had broken down.

56. In fiscal year 1988-89, the GDP of the country was only 47,000 million kyats. The decline was arrested and by 1990-91 fiscal year GDP had reached 50,260 million kyats. From 1989-90 to 1991-92 the GDP annual average growth rate was 5.9%. At the end of the 1992-93 to 1995-96, Four Year Short Term Plan GDP grew by an average annual rate of 7.5%. From 1996-97 to 2000-2001, the Second Five Year Plan saw an average annual GDP growth rate of 8.5%. The 2001-2002 to 2005-2006 Five Year Plan, the average annual GDP growth rate is targeted 10.7%. In 2002-2003 fiscal year, i.e., the second year of the plan, 11.1% GDP growth rate was achieved.

57. In 1988 paddy production was only 654 million baskets per year. It reached 800 million baskets by 1997-98 and increased to 960 million baskets in1999-2000 fiscal year. The target of 1,000 million baskets of paddy has been realized since 2000-2001 fiscal year. Since 1988, one hundred and fifty dams and reservoirs and 265 river pumping stations have been constructed thereby increasing agriculture land by more than two million acres.

58. The production of fresh water and salt-water fish and prawn has grown from only 681,000 tons in 1987-88 to 1,579,000 tons in 2002-2003.

59. In the construction sector, bridges and major roads have been constructed, creating a network linking east and west and south and north of the nation. The government has constructed 55 new roads measuring nearly 2,000 road miles. Prior to 1988 there were only 2 major river crossing bridges. Today, 158 new bridges of more than 180 feet span have been constructed, including 12 major bridges spanning the principal rivers.

60. The government has built hydro plants, steam turbine plants and others to increase the installed capacity to 1,210 megawatts, double that of 1988. When 11 new electric power projects are completed an additional 1,960 megawatts of electricity will be available to the public.

VIII. Unfounded allegations

61. A few remaining splinter groups of former armed terrorists and well-funded exiles, having chosen to remain outside the legal fold, even after decades of following armed confrontation which has proven to be futile, started a negative media campaign using fabricated allegations by orchestrated groups of insurgent families and military deserters. These allegations are in fact part of a propaganda war waged with the ill intent to slander and discredit the Myanmar armed forces and to cause distrust and disunity among Myanmar nationalities.

62. Allegations of rape in the Shan State by the Myanmar armed forces were fabricated in expensive dossiers by two well-funded NGOs linked to remnants of former drug trafficking armed terrorist groups and well funded expatriate organizations. A report entitled "License to rape" was published by the "Shan Human Rights Foundation" and "Shan Women's Action Network" in May 2002. A biannual report of the US State Department identified the Shan Human Rights Foundation as "an organization initially related to the Shan United Army, a narcotic trafficking organization".

63. Three independent organizations in Myanmar conducted separate investigations and came to the same conclusion that the allegations were false. The findings have already been made public. The authorities concerned have also agreed to a proposal of the ICRC for their presence in several states and divisions including the Shan State for humanitarian needs.

64. A report issued by Human Rights Watch alleges that the Myanmar Armed Forces have the largest number of child soldiers in the world. The preposterous figure of 70,000 given in the report is seen to be derived from the statements of 25 or so military deserters with dubious credibility living in a neighbouring country. The Myanmar Armed Forces is an all-volunteer force and those entering military service do so of their free will. Under the Myanmar Defence Services Act 1974 and War Office Council Instructions 13/73, the minimum age for enlistment is 18 years. This regulation is strictly enforced. There is neither a draft system nor forced conscription in Myanmar.

65. On the other hand a splinter armed group of narco traffickers and an insurgent group known as the Karen National Union (KNU), which remain outside the legal fold recruit and use child soldiers. In the year 2000 the international community saw for themselves some members of an insurgent group calling themselves "God's

Army" seize a hospital in Ratchaburi Thailand and hold 700 persons hostage. The insurgent group was led by two ten-year old twins Johnny and Luther Htoo.

66. While attempting to hide the fact that for decades the insurgents used and continue to use child soldiers, they are now engaged in a concerted disinformation campaign employing the emotive issue of child soldiers to bring dishonour upon the Myanmar government and people. Special Rapporteur Professor Pinheiro identified the Karenni National Liberation Army as one of the insurgent groups that engaged in forced conscription of male villagers including under aged youth.

67. The Myanmar government has invited the Special Representative of the Secretary-General on Children and Armed Conflict, Mr. Olara Otunnu to visit Myanmar at a mutually convenient date. The Special Representative will visit Myanmar at a mutually convenient date scheduled towards the end of the year.

68. The Myanmar government has been accused of inadequately addressing the problem of trafficking in persons. These allegations are in fact devoid of truth. The Myanmar National Committee for Women's Affairs (MNCWA) established a Working Committee in July 2002 to address the issue of trafficking. The Committee is headed by the Deputy Minister for Home Affairs and composed with relevant department officials, social organizations and MNCWA members.

69. The MNCWA is implementing a National Action Plan to combat trafficking in women and children. The Plan of Action comprises situation assessments of domestic and cross-border trafficking; organizing national workshops and providing training to officials concerned; rehabilitation of victims of trafficking and exploitation; and the involvement of NGOs in combating the problem.

70. Laws in Myanmar adequately address trafficking issues. From 17 July 2002 to 16 July 2003, a total number of 206 cases were opened and action was taken against 390 brokers or traffickers and over 1000 persons were saved from falling into the hands of brokers. Under the existing law perpetrators receive a minimum of seven years imprisonment. Myanmar also participates in regional and international efforts. It has hosted an ASEAN Meeting of Directors-General of Immigration, Attorneys General and Police Chiefs.

71. The Ministerial Meetings on Trafficking in Persons held in Bali were attended by the Foreign Minister in 2002 and by the Deputy Minister for Home Affairs in 2003. Myanmar is an active participant in the Bali process.

IX. Conclusion

72. The government of the Union of Myanmar has made a pledge from the outset to bring about a transition toward a multi-party democratic state.

73. Being fully convinced that only an evolutionary process rather than a hasty transformation will allow such a transition to take place under conditions of peace and stability, a National Convention drawing delegates from all strata of society ranging from elected politicians and representatives of ethnic nationalities to scholars, legal experts and representatives of the military was set in motion in 1992.

74. Although some unfortunate developments that included withdrawal of elected politicians and failure of a few remaining armed insurgent groups to return to the legal fold caused the National Convention to be adjourned in 1996, the new Prime

Minister has now taken the initiative to revive the political process. In this regard, a seven-step "road map" and its implementation has been started and a National Convention Convening Commission and a Working Committee have been formed.

75. On the international front, the leaders of the 9th ASEAN Summit held in October 2003 have welcomed this positive development "as a pragmatic approach deserving understanding and support". In his recent letter to the Prime Minister, the Secretary-General of the United Nations expressed that it was encouraging to learn that the government had adopted its own road map for transition to democracy and that the United Nations was committed to help facilitate such efforts.

76. In the interim, much has been done to promote nation-wide infrastructure development, improvement of health care, education and human rights with the collaboration of all well-meaning countries and organizations who care for the interest of the people of Myanmar with its over 130 national races.

77. The Union of Myanmar is firmly determined to proceed with its political transition with the support and understanding of all who genuinely cherish democracy and who sincerely desire to promote human rights for all living within the borders of the Union.